

de maximis, inc.

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June 15, 2010

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn ATTN: Lower Passaic River Remedial Project Manager Emergency and Remedial Response Division U.S. EPA, Region 2 290 Broadway, 19th Floor New York, New York 10007

Re: Monthly Progress Report No. 37 – May 2010

Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)

CERCLA Docket No. 02-2007-2009

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On May 10, CPG, EPA and EP A and CPG contractors held a conference call to discuss the preliminary Benthic Community Survey Data.
- On May 18, CPG, EPA and EPA and CPG contractors held a conference call to discuss oversight logistics for the upcoming small foraging fish reconnaissance field work.
- On May 19, CPG, EPA, and EPA and CPG contractors held a Progress Call to discuss modeling activities.
- On May 20, EPA and CPG held a modeling meeting.

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 On May 25, EPA and CPG contractors held a conference call to discuss the late spring/early summer fish collection effort for small foraging fish and largemouth/smallmouth bass.

Correspondence

- On May 3, CPG submitted questions regarding the Survey Questions for the 2010 Bathymetry Data Use Objectives (DUO).
- On May 3, CPG uploaded four SETAC presentations onto PREmis.
- On May 5, CPG provided EPA slides with summaries of the fall 2009 benthic community data and a spreadsheet with the data by station.
- From May 5 to May 27, CPG and EPA and CPG and EPA contractors exchanged questions and responses via email regarding semivolatile organic compound (SVOCs) issues and detection levels in crab tissue.
- On May 6, EPA provided USACE recommendations for the 2010 Bathymetry Survey to CPG.
- On May 6, CPG provided additional responses to the EPA's response to CPG's questions regarding the Study Questions for the 2010 Bathymetry Survey.
- On May 10, CPG submitted the Ecological Effect Thresholds Technical Memorandum (Threshold Reference Value, or TRV) to the EPA.
- On May 10, CPG requested from the EPA specific data validation tables from the Low Resolution Coring (LRC) split sample dioxin analysis.
- On May 10, EPA and CPG exchanged a series of questions, comments on the Fish QAPP Addendum 4.
- On May 12, EPA provided CPG comments on Addendum 1 of the Benthic QAPP and Addendum 3 of the Fish QAPP.
- On May 12, CPG submitted Addendum 2 of the Benthic QAPP and Addendum 4 of the Fish QAPP to EPA.
- On May 14, CPG provided a draft write-up of the proposed methodology to compute settling velocity to the EPA and EPA's contractor.
- On May 14, EPA provided CPG comments on the revised Sample Analysis Plan for Catfish/Bullhead, Carp, Bass, White Sucker, and Northern Pike Tissue.
- On May 17, EPA provided CPG some of the requested data validation information from the LRC split sample dioxin analysis.
- On May 17, CPG submitted the April Progress Report to EPA.



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- On May 18, EPA provided the CPG a list of requested fish tissue samples for split samples.
- On May 17 and 18, EPA and CPG exchanged a series of emails regarding the 2010 Bathymetry Survey QAPP and coordination of oversight activities for the survey.
- On May 18, CPG submitted a revised Benthic QAPP Addendum 1 and response to EPA May 13, 2010 comments to EPA.
- On May 18, CPG submitted the revised Tissue Analysis Plan (Part 2) regarding sampling and compositing for white perch and American eel.
- On May 18, CPG submitted the 2010 Bathymetry QAPP to the EPA.
- On May 20, EPA provided comments on Addendum 4 of the Fish QAPP.
- On May 21, CPG provided EPA a draft correlation of YSI/TSS data from the fall PWCM survey.
- On May 21, EPA approved the Benthic QAPP Addendum 1 and provided approval for the work to proceed the week of June 1st.
- On May 24, CPG provided a revised Fish Tissue Analysis Plan (Part 1) and response to EPA comments to the EPA.
- From May 24 28, CPG provided daily summaries of the small foraging fish reconnaissance and collection efforts to EPA.
- On May 25, CPG submitted a response to EPA comments on Fish QAPP Addendum 4.
- On May 26, CPG provided the EPA with a spreadsheet with corrected sample ID numbers for the fall PWCM program.
- On May 26, CPG provided the EPA with details regarding the radiochemistry information from the LRC program.

Work

- CPG continued the spring 2010 Physical Water Column Monitoring (PWCM) deployment with a servicing/ transect survey conducted April 28 through May 2 and again May 20 through May 24.
- CPG conducted Tributary Sampling for the PWCM in conjunction with a high flow event on May 12.
- CPG conducted a recon and collection of small foraging fish from May 24
 May 28 including collection of eggs from gravid mummichog.
- CPG Modeling Team continued work on the HydroQual SEDZLJS Sediment Transport Model code.



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- CPG Modeling Team continued work on the SEDZLJ Sediment Transport Model Code.
- CPG continued analysis of the Newark Bay (NB) physical water column monitoring data collected by Sommerfield and Chant.
- CPG continued reviewing the fall 2009 PWCM data.
- CPG completed reviewing data from the March 16 wet weather PWCM event.
- CPG continued planning activities for the Chemical Water Column Monitoring (CWCM) QAPP.
- CPG initiated processing of fish tissue samples for chemical analyses.

(b) Results of Sampling and Tests

- On May 17, data collected pursuant to the Benthic Survey QAPP and the Fish/Decapod Tissue QAPP were submitted to EPA.
- On May 18, data from the March 16 PWCM High Flow Event were submitted to the EPA.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- Continue the spring deployment of the PWCM program.
- CPG will conduct the third instrument servicing and transect event for the PWCM in late June.
- CPG will initiate the 2010 Bathymetry Survey.
- CPG will continue to conduct Field Sampling Plan Volume 2 field work including the Spring Benthic Community Survey and Spring Fish Community Survey/Tissue Collection Survey.
- CPG will continue processing fish tissue samples for chemical analyses.
- CPG will continue reviewing the fall 2009 PWCM data.
- CPG will continue planning activities for the CWCM QAPP.
- CPG Modeling Team will continue work on the Sediment Transport Model codes SEDZLJS and SEDZLJ.
- CPG will participate in monthly LPR/NB Modeling Program progress calls with EPA and EPA contractors.
- CPG will participate in the semi-annual LPR/NB Modeling Program Meeting scheduled for June 23, 2010.



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- (d) <u>Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.</u>
 - None encountered.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.

Willard F. Potter

Project Coordinator \

cc: Pat Hick, EPA Office of Regional Counsel

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